

ESTTA Tracking number: **ESTTA556194**

Filing date: **08/26/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197518
Party	Plaintiff Athletics Investment Group LLC d/b/a The Oakland Athletics Baseball Company
Correspondence Address	SCOTT P CERESIA COWAN LIEBOWITZ & LATMAN 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6799 UNITED STATES jkt@cll.com, trademark@cll.com, rar@cll.com, spc@cll.com,jmn@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Scott P. Ceresia
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Signature	/Scott P. Ceresia/
Date	08/26/2013
Attachments	MATHLETICS (Opp. No. 91197518) - Motion to Suspend (Aug. 26, 2013).pdf(12956 bytes )



The parties submit that significant progress has been made since the last suspension and that good cause can be shown for an additional suspension. Since the last suspension, on April 15, 2013, the revised draft agreement was sent to Opposer's outside counsel with additional comments from Opposer's in-house counsel, to be revised accordingly. That same day, Opposer's outside counsel sent the further revised agreement back to Opposer's in-house counsel for review. Thereafter, Opposer's in-house counsel sent the revised agreement to Opposer for its review. Upon receiving Opposer's comments to the proposed agreement, on April 22, 2013, the most updated revised draft agreement was sent to Opposer's outside counsel with additional comments from Opposer's in-house counsel, to be revised accordingly. After receiving and reviewing the revisions, on April 23, 2013, Opposer's outside counsel sent the revised draft agreement to Applicant's counsel for consideration. Applicant's counsel and Applicant thereafter discussed the revised agreement. On July 26, 2013, Applicant's counsel sent Opposer's outside counsel a revised agreement with Applicant's proposed revisions. Opposer's outside counsel and Applicant's counsel had a telephone conference on August 14, 2013 to discuss those proposed revisions. That discussion narrowed the issues between the parties considerably. On August 15, 2013, Opposer's outside counsel sent a further revised agreement to Opposer's in-house counsel for review. The additional time is requested to allow Opposer's in-house counsel the time to review and submit comments on the revised settlement agreement, to further negotiate the few remaining points in the settlement, and for the parties to commit to their agreed-upon terms in a redrafted agreement which, when finalized, would allow them to resolve this matter without the need to proceed with the Opposition.

The parties note that they are jointly committed to reaching an amicable resolution, have made significant progress, and strongly believe that they will timely resolve any remaining

issues. For the foregoing reasons, Opposer, with Applicant's consent, respectfully requests that the Board grant the instant motion to suspend and that the deadlines in this proceeding be conformed with those in Opposition No. 91206079 once the consolidation motion is acted upon.

Dated: New York, New York  
August 26, 2013

COWAN LIEBOWITZ & LATMAN, P.C.  
Attorneys for Opposer

By: /Scott P. Ceresia/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on August 26, 2013, I caused a true and correct copy of the foregoing MOTION TO SUSPEND PROCEEDINGS PENDING DECISION ON THE CONSOLIDATION MOTION AND TO CONFORM DATES PURSUANT TO THAT MOTION to be sent via First Class Mail, postage prepaid, to Applicant's attorney of record and correspondent, Barry F. Soalt, Esq., Procopio Cory Hargreaves & Savitch LLP, 525 B Street, Suite 2200, San Diego, CA 92101.

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/Scott P. Ceresia/

Scott P. Ceresia